

Application No.: 10/722,465
Reply to Office Action of March 21, 2008

Attorney Docket No. 0465-1100P
Art Unit 1792

REMARKS

Applicants thank the Examiner for the very thorough consideration given the present application.

Claims 1, 3-5, 7-9 and 21 are now present in this application. By this Amendment, claims 1 and 21 have been amended. Claims 1 and 21 are independent. No new matter is involved.

Reconsideration of this application, as amended, is respectfully requested.

REJECTIONS UNDER 35 U.S.C. § 103

Claims 1, 3-5, 7-9 and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 3,762,608 to Beare et al. ("Beare") in view of U.S. Patent 2,998,788 to Saponara. This rejection is respectfully traversed.

Beare, the primary reference, teaches away from providing a packing means as claimed. Claim 1 recites that the packing means seals a gap between the lid part and the top plate. Beare's gasket is located underneath Beare's top plate 10 so that it cannot possibly be located between the lid (cover) 26 and the top plate 10. There is no incentive found in Beare to add yet a second gasket between the lid 26 and the top plate 10 because of the construction features of Beare's bezel 24, which is elevated a significant distance above top plate 10 and has sloped walls 84 and 86 to prevent liquid from reaching lid 26.

The Office Action fails to take these structural features of Beare into consideration whatsoever and simply speculates that one of ordinary skill in the art would be properly

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motivated to modify Beare to include a second gasket that clearly is not needed in Beare, which already has a gasket located between the bottom of its top 10 and lower dispenser body 30, and a bezel structure with sloped walls 84 and 86 to prevent water from rising to the height of its elevated lid 24. No objective factual evidence of record is presented to justify this unwarranted speculation.

The Office Action then turns to Saponara, which discloses a specific gasket structure, and concludes that it would have been obvious to modify Beare to include a gasket formed in the lid of Beare to prevent liquids such as detergent and water from escaping the washing machine.

Unfortunately, this conclusion overlooks the fact that Beare's structure, which includes provisions for a gasket located between the bottom of its top 10 and lower dispenser body 30 and a bezel structure with sloped walls 84 and 86 to prevent water from rising to the height of its elevated lid 24, clearly teaches away from going to the trouble and expense of adding a second gasket to seal a gap between the lid part 24 and top plate 10, which is clearly not needed to prevent liquids, such as detergent and water, from escaping the washing machine.

Similar arguments apply with respect to the rejection of claim 21, which recites a packing means located on a bottom surface of the lid and sealing a gap between the lid part and the top plate.

Additionally, claim 1, as amended, recites a combination of features, including wherein the lid part comprises an insertion groove to which the packing means is fitted and a plurality of inclined protrusions are formed on the side surface of the insertion groove and are protruded toward the inside of the insertion groove to allow the packing means to be slidably inserted and supported

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therein; and claim 21, as amended, positively recites a combination of features, including wherein the lid part comprises an insertion groove to which the packing means is fitted and a plurality of inclined protrusions are formed on the side surface of the insertion groove and are protruded toward the inside of the insertion groove to allow the packing means to be slidably inserted and supported therein.

Neither Beare nor Saponara discloses or suggests these additional features. Accordingly, even if, solely for the sake of argument, one of ordinary skill in the art were motivated to modify Beare in view of Saponara, the so-modified version of Saponara would not disclose, suggest, or otherwise render obvious, the claimed invention.

Accordingly, the Office Action fails to make out a *prima facie* case of obviousness of the claimed invention.

Reconsideration and withdrawal of this rejection of claims 1, 3-5, 7-9 and 21 are respectfully requested.

CONCLUSION

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

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If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Robert J. Webster, Registration No. 46,472, at (703) 205-8000, in the Washington, D.C. area.

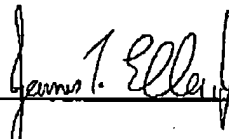
Prompt and favorable consideration of this Amendment is respectfully requested.

Applicants respectfully petition under the provisions of 37 C.F.R. § 1.136(a) and § 1.17 for a three-month(s) extension of time in which to respond to the Examiner's Office Action. The Extension of Time Fee in the amount of \$1,050.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: September 22, 2008

Respectfully submitted,

By:  _____

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